

2008-2010 Performance Partnership Grant
Appendix C: Water Quality Component
Annual Performance Report for July 1, 2009 through June 30, 2010
August 26, 2010

Items in **bold** report on DEQ's accomplishment of the work plan commitments and outputs.

Element 1: Water Quality Standards and Assessments

DEQ contact: Jennifer Wigal
EPA contact: Jannine Jennings

Establishing water quality standards for waters of the United States in Oregon is at the core of DEQ's water quality activities. Standards include beneficial uses of water, such as drinking, aquatic life, recreation, etc, and the water quality criteria designed to protect those uses. The Water Quality Program then acts to protect and restore water quality by implementing those standards. The staff who work on standards perform the following activities:

- Conduct triennial standards reviews to establish and update scientifically based water quality standards and related policies.
- Develop and maintain internal directives for and provide guidance to regional and headquarters staff on implementation of water quality standards in various water programs.
- Identify waterbodies not meeting water quality standards.
- Develop integrated reports (303(d) list, 305(b) report).

Environmental Outcome: Adoption and application of appropriate water quality standards will contribute to protection of the beneficial uses of Oregon's waterbodies and water quality improvements as measured by ambient water quality monitoring and the Oregon Water Quality Index (OWQI).

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
1.1	Work on revising the fish consumption rate and revising Oregon's human health water quality standards.	Work in collaboration with DEQ on a process to revise the FCR. Provide contract support for the facilitated workshops and the fiscal impact analysis. Provide other support as needed.	Final Recommendations to the Environmental Quality Commission for adoption of new standards. DEQ is scheduled to begin rulemaking for this work at the end of 2008.	06/30/10	Yes	WQ-3a	DEQ and EPA are continuing to work collaboratively on rule development and implementation procedures. Due to expansion of the scope and fewer FTE than estimated, rule adoption is now targeted for summer 2011.
1.2	Work to revise the turbidity standards.	Provide early review of proposed turbidity revisions. Provide coordination with the Services on early review for revisions that may require consultation.	DEQ is scheduled to begin rulemaking in 2009.	06/30/10	Yes		We will try to use the newly developed State – EPA Framework for coordination on standards review. Due to budget constraints, hiring for the lead staff person for this work was delayed. Work resumed Fall 2010. DEQ is targeting rule adoption by fall 2011.
1.3	Technical support for litigation currently including: temperature, toxics and compliance schedule. DEQ will provide supporting information developed during standards	EPA will establish work plan which identifies information needed, schedule for developing information, and, administer meetings.	Defense of approved standards. Possibly consent decrees or court orders that require future action by DEQ.	Ongoing	Yes		Time schedules, workload and results indeterminate and not under agency control. We will need to adjust schedules and expectations depending on results. Minimal requests have been made,

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	review, affidavits, declarations and depositions as warranted and any other assistance requested by our attorneys. Participate in settlement negotiations if warranted.						DEQ has responded to requests.
1.4	DEQ will provide information as requested by EPA.	EPA will act on the stratified waters rule. EPA will provide draft correspondence to DEQ describing alternative strategies, alternative language, or approval conditions. EPA will provide DEQ a reasonable time frame for responding to comments prior to finalizing the approval/disapproval decision.	Letter of approval or disapproval from EPA to DEQ. Any disapproval will include the reasons for the decision and possible remedies or alternatives.	06/30/09	Yes		Rule was adopted by EQC in 2004. EPA disapproved the stratified waters provision on 02/20/09. DEQ is having internal discussions regarding its preferred approach to address the disapproval.
1.5	DEQ will provide information as requested by EPA.	EPA action on DEQ's 2007 temperature standards revisions and 2003 cool water use designations.	Letter of approval or disapproval from EPA to DEQ. Any disapproval will include the reasons for the decision and possible remedies or alternatives.	06/30/10			EPA approved the cool water species use designations March 10, 2010. Action on the 2007 criteria revisions is still pending. DEQ has replied to EPA requests for information in a timely manner, with a couple of exceptions where a delayed response was necessary due to other demands on staff .
1.6	DEQ will provide information as requested by EPA and participate in discussions and negotiations related to ESA consultation and any proposed State conservation measures.	EPA action on DEQ's toxic pollutants criteria for fish and aquatic life.	Letter of approval or disapproval from EPA to DEQ. Any disapproval will include the reasons for the decision and possible remedies or alternatives.	06/30/09			DEQ and EPA have had minimal discussion. No specific information has been requested of DEQ.
1.7	DEQ will provide information as requested by EPA to the best of our ability.	EPA action on DEQ's toxic pollutants criteria for human health.	Letter of approval or disapproval from EPA to DEQ. Any disapproval will include the reasons for the decision and possible remedies or alternatives.	06/30/09			EPA disapproved Oregon's 2004 human health criteria on June 1, 2010. DEQ worked with EPA to understand the basis for the disapproval and to communicate the action and its implications to DEQ staff and the public.
1.8	Work with EPA to complete EPA Region 10 Framework for Standards review and approval.	Work with Oregon DEQ to complete Framework for Standards review and EPA action.		12/31/08			This task is a lower priority for both agencies than the toxics criteria revisions and is delayed. DEQ will look to the process being followed for WQS HH criteria revisions as a good model for

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							future WQS revisions.
1.9	DEQ will update Oregon's Integrated Report on water quality and 303(d) List.	EPA will extract information from Oregon's databases to populate EPA databases (WATERS, ADB, NAD) and compile information for national reports.	Approve 303(d) list	04/30/10	Yes		<p>Scope of Oregon's updates depends on available funding and staff resources. PPG funding for 1 FTE supports updating 305(b) report, 303(d) listings based on beneficial use advisories (fish consumption, toxic algae, beach monitoring), and 303(d) de-listing for approved TMDLS. EPA will support updates for selected narrative criteria. Additional state and EPA funding may expand scope of data and information review for 303(d) list.</p> <p>Data received by DEQ in the June 2009 Call for Data for the 2010 Integrated Report was loaded into DEQ's analytical data management systems. DEQ has processed and evaluated a 10 year set of available monitoring site data for a number of pollutants using protocols specified in the draft 2010 Assessment Methodology. DEQ is also continuing work to update the 305(b) report and 303(d) listings based on beneficial use advisories (fish consumption, toxic algae, beach monitoring), probabilistic surveys, and 303(d) de-listing for approved TMDLS. Additional pollutants will be assessed and reported as resources and time allow in order to submit Oregon's 2010 Integrated Report.</p>
1.10	DEQ will assist EPA to identify Assessment Database (ADB) elements and georeferenced information from Oregon Integrated Report that are equivalent to EPA's ADB.	EPA will extract information from Oregon's databases to populate EPA databases (WATERS, ADB, NAD) and compile information for national reports.	Oregon Integrated Report	06/30/10	Partial	WQ-7	<p>Scope of updates, data and information review for Integrated Report depends on available state and EPA funding. PPG funding for 1 FTE supports DEQ assisting EPA to identify correct data fields and relational tables based on 2004/2006 Integrated Report database structure.</p> <p>During data evaluation and assessment database development work, DEQ is</p>

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							identifying fields and formats in Oregon's assessment databases that can be modified for the 2010 Integrated Report to facilitate data mapping and upload into EPA's data systems.
1.11	DEQ will develop an approach to implement narrative criteria for Integrated Reporting	EPA will support the technical analysis and data review necessary for assessment protocol development. EPA will work with DEQ on approach for waters where narrative criteria are not met but no pollutant is identified for TMDL development.	Updates/new protocols for Oregon Assessment Methodology for Integrated Report on Water Quality Status	06/30/10	Partial		<p>Narrative criteria to be addressed are biological criteria and bottom deposits such as bedded sediment.</p> <p>Work and output depend on EPA funding.</p> <p>Based on the technical evaluation of bedded sediment data completed by EPA contractor in 2009, DEQ developed draft assessment benchmarks and an approach to implement the narrative criteria. In Oct 2009, DEQ requested a technical review of the approach from Oregon's Independent Multidisciplinary Science Team. Comments received from the IMST in Jan 2010 identified several issues that need further technical and policy work by DEQ. DEQ hopes to continue work to incorporate the sediment benchmark approach into the 2012 water quality assessment.</p> <p>DEQ has drafted benchmarks and an approach to evaluate biological information.</p>

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Element 2 : TMDLS

DEQ contact: Gene Foster

EPA contact: David Croxton

Total Maximum Daily Loads (TMDLs) and Water Quality Management Plans

The federal Clean Water Act requires that water pollutant budgets, called TMDLs, be developed for waterbodies that do not meet water quality standards. TMDLs describe the maximum amount of pollutants from municipal, industrial, commercial and surface runoff sources, including natural background, which can enter the river or stream without violating water quality standards. These estimates are required for waterbodies that have been identified as in violation of one or more water quality standards at some time, and have been included on one of DEQ's 303d lists of water quality limited waterbodies.

Oregon's 303(d) list and TMDL process was the subject of lawsuits brought by environmental groups. Under a consent order signed in 2000, EPA has agreed to a timeline that will ensure Oregon will complete 1153 TMDLs for waterbodies listed on the 1998 303(d) list or subsequent 303(d) lists by the end of 2010. This schedule is further memorialized in a Memorandum of Agreement between DEQ and EPA signed in 2000.

DEQ develops TMDLs on a basin or subbasin scale (generally on a 3rd field US Geological Survey Hydrologic Unit Code or smaller). These TMDLs address all sources of pollutants when determining allocations of loading for the pollutants being addressed by the TMDL. These allocations are developed through water quality analysis, statistical analysis, and mathematical modeling. Staff in the program conduct all facets of work in collecting, analyzing and presenting results. Staff will also perform public and stakeholder outreach to ensure input when decisions are being made. The combination of outreach and development provides for the transition from development of loading allocations to implementation in permits and watershed plans

TMDL Wasteload Allocations are implemented through waste limits in permits for point source discharges, and Load Allocations are implemented as planning targets for other sources and designated management agencies. DEQ staff actively implement TMDLs by:

- Revising industrial and municipal wastewater permits to incorporate revised permit limits.
- Working with local communities and the Oregon Department of Agriculture through the SB 1010 process to implement the TMDLs effectively on agricultural lands.
- Working with the Oregon Department of Forestry, for implementation on state and private forestlands, through the Oregon Forest Practices Act and long range management plans.
- Assisting local governments in developing TMDL Implementation plans for urban areas.
- Working with the U.S. Forest Service and the Bureau of Land Management on developing water quality restoration plans for lands under their jurisdiction.

Under most circumstances, TMDL Implementation plans for improved water quality rely on cooperation among landowners and land managers within a river basin. Local watershed councils, Soil and Water Conservation Districts or other organizations will serve as community-based coordination points for these united efforts. Agencies and municipalities with jurisdiction over sources of nonpoint source pollution and sources not covered by permit are required to submit TMDL implementation plans to DEQ. These plans describe actions that will be taken to reduce their contribution to Water Quality problems.

DEQ has defined development of TMDLs as a High Priority Outcome for the Water Quality Division. DEQ has committed to meet the Consent Decree requiring that specific target numbers of TMDLs be completed by 2008 and by 2010. We have defined a parallel goal that, by 2008, there will be a general recognition of the importance of TMDLs and their implementation for water quality protection and restoration.

Environmental Outcome: Development and implementation of TMDLs will contribute to protection of the beneficial uses and meeting water quality standards in Oregon's waterbodies and water quality improvements as measured by ambient water quality monitoring and the Oregon Water Quality Index (OWQI).

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2.1	Develop TMDLs and WQMPs in accordance with 303(d) List schedule, the February 2000 Memorandum of Agreement between DEQ and EPA (as updated by the Amendment to the MOA signed December 13, 2007) and the July 26, 2000 Federal District Court Consent Decree.	Technical Assistance; Review and approve	<p>By December 31, 2008 DEQ plans to submit to EPA for approval an additional 119 TMDLs (863 TMDLs approved by EPA as of October 2, 2007) to achieve the interim milestone of 982 TMDLs contained in the Consent Decree. The TMDLs could include any of the following basins:</p> <ul style="list-style-type: none"> - Rogue Basin - Klamath Basin - Mollala & Pudding Basins - Miles Creeks Basins <p>By December 31, 2010, DEQ plans to submit to EPA for approval additional TMDLs to achieve the milestone of 1,153 TMDLs completed contained in the consent decree. The TMDLs could include any of the following basins:</p> <ul style="list-style-type: none"> - John Day Basin - Malheur Basin - Walowa County Basin - Yamhill Basin - Mid Coast 	<p>12/08</p> <p>12/10</p>	Yes	WQ-8b	<p>TMDLs issued by DEQ and approved by EPA for: Rogue (approved 12/29/2008), Mollala-Pudding (approved 12/31/2008), & Miles Creek (approved 02/05/2009).</p> <p>DEQ is on track to meet the 1,153 TMDLs by the end of 2010 for the consent decree. Development is occurring on the following TMDLs:</p> <ul style="list-style-type: none"> ○ Klamath Basin – Draft TMDL closed for public comment May 27, 2010, expected TMDL issuance 2010; ○ Malheur River Basin – Draft TMDL closes for public comment July 30, 2010, expected TMDL issuance 2010; ○ NE Oregon (Wallowa, Lower Grande Ronde, Imnaha) Basins – Draft TMDL closes for public comment July 29, 2010, expected TMDL issuance 2010; ○ John Day River Basin – Draft TMDL closes for public comment August 9, 2010, expected TMDL issuance 2010; <p>Modeling and TMDL development are progressing for the Yamhill River, Upper Deschutes, Mid Coast, and South Coast Basins.</p>
2.2	Implement TMDL Wasteload Allocations in NPDES permits through collaboration with NPDES permit writers.		Pollutant Discharge Limits that will meet WLAs for each permitted discharge.	Ongoing	Yes	SP-12	Ongoing
2.3	Implement the Willamette River Basin TMDL. Work with watershed councils, local governments, and other DMAs to develop appropriate management practices and plans for controlling pollutants to the Willamette River.		Completed Implementation plans throughout Willamette Basin that guide management practices, pollutant controls to meet load allocations in TMDLs. Facilitate projects that result in improvements in water	Ongoing	Yes	SP-12	Ongoing

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			quality.				
2.4	Implement the Willamette Mercury TMDL (Phase I) using DEQ's Mercury Reduction Strategy and mercury source characterization work to help identify priorities and strategies. Work with stakeholders to identify sources and implement strategies to reduce the use of mercury and increase the amount of mercury that is safely managed or disposed.		Complete characterization of mercury sources in Willamette basin and data required for final monitoring.	Ongoing	Yes	SP-12	This work is dependent upon award of competitive Extramural Funding for mercury analysis and mercury minimization planning. Ongoing
2.5	Implement TMDLs for Nonpoint Sources in subbasins where TMDLs/WQMPs have been completed.		Completed Implementation plans that guide management practices, pollutant controls to meet load allocations in TMDLs. Facilitate projects that result in improvements in water quality.	Ongoing	Yes	WQ-10	Ongoing

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Element 3: Underground Injection Control

DEQ contacts: Judy Johndohl
EPA contacts: Peter Contreras

Underground Injection Control Program

The Underground Injection Control (UIC) program protects drinking water sources and aquifers by providing oversight on the use of injection systems (dry wells, sumps, large onsite wastewater treatment systems, etc.) that discharge to the subsurface and may endanger groundwater quality. Federal regulation requires DEQ to keep an updated inventory of all injection wells and report them to the EPA annually. In Oregon the majority of injection systems are associated with storm water discharge, large onsite wastewater, aquifer remediation, and industrial process/wastewater. Injection systems either qualify as rule authorized, are required to obtain a WPCF permit, or must be closed. DEQ staff review and approve applications of a variety of injection system types, provide technical assistance to private and public injection well owners, and work closely with municipalities in their development of stormwater management plans related to injection systems. As a delegated program under the Safe Drinking Water Act, injection systems are subject to EPA enforcement.

Environmental Outcome: These activities help to ensure that adequate controls are in place so that UICs do not result in water quality standards violations, which will contribute to water quality improvements as measured by ambient water quality monitoring and the OWQI.

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
3.1	Continue administration of UIC program by providing rule authorization site reviews, developing WPCF permits, and closures.	EPA will provide enforcement and compliance assistance as requested by and in close coordination with DEQ.	350 wells inventoried and registered per year; rule authorization determination process (e.g. requesting additional information, providing clarification on application issues, rule authorizing) will occur for approximately 90% of these systems. This includes working with ODOT on UIC requirements per the EPA MOU. On the average 10 motor vehicle waste well closures per year.	6/30/10	Yes	SDW-8, SDW-6, SDW-7b,	<p>DEQ continues to work on cross program efforts within its Water Quality program (Stormwater) and Land Quality program (Environmental Cleanup) in an effort to better serve the regulated community and provide for the most efficient use of resources.</p> <p>EPA and DEQ will coordinate on EPA PAM data to factor in annual national targets into state planning/priorities.</p> <p>During the May 2009 – April 2010 PAM reporting period, 20 motor vehicle waste disposal wells and cesspools were closed.</p> <p>DEQ continues to implement a comprehensive compliance effort by issuing 112 Warning Letters with Opportunity to Correct in 2009 to UIC system operators who did not respond to DEQ's earlier efforts in October 2008 when these operators were informed of the need to comply with UIC regulations and program fees.</p> <p>55 new WPCF permit applications are pending issuance due to</p>

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							<p>compliance outreach efforts. DEQ developed a WPCF template for municipalities and private sector large owners and industry, and is beginning to issue permits.</p> <p>DEQ is coordinating with the WQ permitting program to identify existing or expired permits that might include UICs and these permits will address UICs when they are renewed.</p>
3.2	Provide technical assistance and education and outreach to consultants, cities, municipalities, and other public and private UIC owners.	EPA will provide inspector training opportunities; provide training/outreach to municipalities and other public and private UIC owners, as requested.	Outreach and education activities may include presentations, meetings, and distribution of literature.	Ongoing	Yes		<p>DEQ staff continues to provide UIC talks as requested for local/regional UIC owners, consultants, and interested parties. DEQ is updating the UIC web page, including updating fact sheets, guidance, and applications. DEQ also reviews (upon request) stormwater management manuals for city and regional use such as the Central Oregon Stormwater manual and the City of Portland Stormwater manual.</p>
3.3	Update the UIC database to facilitate regional work and verify the data so it can be digitized and added to profiler.	EPA will provide assistance to DEQ in digitizing DEQ's entire UIC database, and will provide updates every 6 months or as necessary.		Ongoing	Yes		<p>EPA/DEQ will coordinate planning efforts on national UIC database rollout. Implementation and utilization of the national database by DEQ will depend on available funding.</p> <p>DEQ continues to update the UIC database and saw a significant increase in data from the October 2008 compliance effort and under the MOA with WRD regarding ASR/AR and geothermal development. The database facilitates site review work and generates EPA quarterly information. The program has worked to incorporate UIC data into DEQ's profiler database that displays all sites with DEQ permits (cross-program) statewide. Through this effort, staff is reviewing UIC data files site by site and updating as errors are found. DEQ has also been testing the use of a FTP site through which large system owners (i.e.,</p>

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							<p>UIC WPCF permittees) can update their data quarterly, which then can be uploaded to the UIC database.</p> <p>DEQ's efforts to update its current database are being tied into development of the Exchange Network which the UIC program can utilize for data exchange.</p>
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Element 4: Groundwater Program

DEQ contact: Judy Johndohl

EPA contact: Eric Winiecki

Groundwater Program

The Groundwater Quality Protection Act of 1989 provides the framework for comprehensive groundwater management and protection in Oregon. This Act and the federal Safe Drinking Water Act establish the critical elements for enhancing and protecting Oregon's groundwater resource for its many beneficial uses. Over ninety percent of Oregon's available freshwater is stored beneath the earth's surface as groundwater. Approximately seventy percent of Oregon's people depend on groundwater for their daily water needs via private, public, and industrial water wells.

Oregon focuses most of its groundwater protection activities in three sensitive groundwater areas called "Groundwater Management Areas"; one is located in the Lower Umatilla Basin, one in Northern Malheur County, and another in the Southern Willamette Valley. Protection efforts in these management areas involve, the implementation of groundwater action plans where the water quality has been degraded, beneficial uses are seriously impaired, and public health may be at risk in part from nonpoint source groundwater pollution. Oregon also provides technical assistance to communities and watershed councils engaged in groundwater pollution prevention efforts.

Environmental Outcome: Groundwater protection efforts will help to prevent the degradation of Oregon's groundwater resources and maintain or improve the quality of groundwater resources, as measured through the various groundwater monitoring efforts DEQ conducts around the state.

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
4.1	Implement the Lower Umatilla Basin Groundwater Management Area Action Plan by focusing on agricultural, residential, commercial, industrial, municipal, and public water supply activities that will prevent and reduce nitrate contamination in groundwater.	EPA will provide technical support as needed.	<u>Coordination</u> <ul style="list-style-type: none"> - Meet with local stakeholders, Groundwater Management Committee, and local agencies to coordinate Action Plan activities. - Provide technical support. - Research BMPs and their effectiveness <u>Education and Outreach</u> <ul style="list-style-type: none"> - Organize education and outreach efforts to increase awareness of groundwater vulnerability and BMPs, including participation at "outdoor schools" and farm fairs. - Maintain GWMA website. <u>Monitoring and Data Analysis</u> <ul style="list-style-type: none"> - Monitor groundwater quality at 36 domestic and irrigation wells to evaluate impacts and effectiveness of Action Plan. 	2 meetings per year Ongoing Ongoing Annually Ongoing Bimonthly 2009	Yes		Continue ambient groundwater sampling in support of the GWMA and continue implementation per the action plan. This project is on schedule and tasks have been completed as proposed.

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			- Complete groundwater trend analysis for food processor sites. - Evaluate success of BMP awareness and implementation.	Every five years			
4.2	Implement the Northern Malheur County Groundwater Management Area Action Plan by focusing on agricultural, residential, commercial, industrial, municipal, and public water supply activities .that will prevent and reduce nitrate contamination in groundwater.	EPA will provide technical support as needed.	<u>Coordination</u> - Meet with local stakeholders, Groundwater Management Committee, and local agencies to coordinate Action Plan activities. - Provide technical support. - Research BMPs and their effectiveness. <u>Education and Outreach</u> - Organize education and outreach efforts to increase awareness of groundwater vulnerability and BMPs, including participation at "outdoor schools" and farm fairs. - Maintain GWMA website. <u>Monitoring and Data Analysis</u> - Monitor groundwater quality at 36 domestic and irrigation wells to evaluate impacts and effectiveness of Action Plan. - Evaluate success of BMP awareness and implementation.	2 meetings per year Ongoing Ongoing Annually Ongoing Bimonthly Every five years	Yes		Continue ambient groundwater sampling in support of the GWMA and continue implementation per the action plan. This project is on schedule and tasks have been completed as proposed.
4.3	Implement the Southern Willamette Valley Groundwater Management Area Action Plan by focusing on agricultural, residential, commercial, industrial, municipal, and public water supply activities .that will prevent and reduce nitrate contamination in groundwater.	EPA will provide technical support as needed.	<u>Coordination</u> - Meet with local stakeholders, Groundwater Management Committee, and local agencies to coordinate Action Plan activities. - Provide technical support. - Research BMPs and their effectiveness	4 meetings per year Ongoing Ongoing	Yes		This project is on schedule and tasks have been completed as proposed.

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			<u>Education and Outreach</u> Organize education and outreach efforts to increase awareness of groundwater vulnerability and BMPs, including 2 demonstration projects and 2 workshops. - Maintain GWMA website. <u>Monitoring and Data Analysis</u> - Monitor groundwater quality at 25 monitoring wells and 15 domestic wells to evaluate impacts and effectiveness of Action Plan. - Evaluate success of BMP awareness and implementation.	2 demonstration projects per biennium; 2 workshops per year Ongoing 4 times per year Every five years			
4.4	Complete federal and state groundwater reporting requirements.		- Biennial Report to the legislature. - Groundwater component of 305(b) report.	12/30/08 As scheduled	Yes		Reports were completed and submitted on schedule.
4.5	Participate in EPA-sponsored annual groundwater meetings and conferences as workload and resources allow.	EPA will provide timely notice and organization of meetings.	Meetings	As scheduled	Yes		EPA did not notify DEQ of any meetings.

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Element 5: WQ Permitting, Pretreatment and 401 Certifications

DEQ contact: Annette Liebe
EPA contact: Susan Poulsom

Industrial and Domestic Wastewater Permitting

DEQ's wastewater management program regulates and minimizes adverse impacts of pollution on Oregon's waters from point sources of pollution. The term "point source" generally refers to wastewater discharged into water or onto land through a pipe or a discernible channel. These point sources operate under the terms of a federal National Pollutant Discharge Elimination System (NPDES) or state Water Pollution Control Facilities (WPCF) wastewater discharge permit issued by DEQ.

DEQ has had authority for NPDES permit issuance since 1974. As a delegated program, DEQ's NPDES permitting activities are subject to EPA oversight. Effective implementation of the program is required for continued delegation of the water quality program and is essential to the continued receipt of federal program funds. To effectively protect water quality, DEQ must carry out five activities:

- Issue discharge permits that adequately evaluate and limit pollutant discharges to prevent an impact on receiving waters and the beneficial uses of those waters (drinking, swimming, fishing, aquatic habitat, etc.).
- Periodically inspect facilities and review monitoring results.
- Update and maintain EPA's PCS database with timely and accurate permit and permit related data (DMRs, Compliance Schedules, Inspections, etc.).
- Take prompt and appropriate enforcement actions when violations occur.
- Give essential technical assistance for facility owners and operators to help assure ongoing compliance at minimum expense to permit holders.

DEQ currently manages about 4,500 water quality permits including 3,000 federal National Pollutant Discharge Elimination System (NPDES) permits and 1,500 State Water Pollution Control Facility (WPCF) permits.

Due to the increasing number of permitted facilities and the increasing complexity of permitting standards, DEQ's permitting program developed a permit backlog. A "Blue Ribbon Committee" was convened in 2002 to assist DEQ in identifying improvements to the wastewater program.

Delivering on the Blue Ribbon Committee's recommendations is one of DEQ's High Priority Outcomes. DEQ will continue to focus on implementing the Blue Ribbon Committee recommendations for reducing the permit backlog, improving enforcement, and improving the permit program "infrastructure" which provides support and guidance for timely permit issuance. Meeting this plan will require all of our existing resources, but we believe that it will result in DEQ effectively and efficiently fulfilling its responsibilities under state and federal law to protect Oregon's water quality. Specifically:

- Permits issued by watershed, for an improved emphasis on key water quality concerns and a more holistic approach to discharge effects on watersheds.
- Improved accountability including annual permit issuance plans and tracking and individual performance expectations.
- Issuing timely permits and reducing permit backlog (the number of permits that will be considered "backlogged" is dependent on resolution of three significant issues: litigation related to DEQ's compliance schedule rule, litigation on the Willamette TMDL and resolution of the Sanitary Sewer Overflow permit language).
- Timely review of compliance data and improved compliance inspections.

Biosolids Program—Judy Johndahl

Biosolids are wastewater solids that have undergone sufficient treatment to make them safe for land application. These wastewater residuals are desirable fertilizers and soil conditioners. DEQ works with domestic wastewater treatment facilities to assure proper stabilization, application, management, and monitoring of solids on sites used to improve soil tilth and to grow a variety of crops. Biosolids applications are controlled by detailed site authorization letters which, together with biosolids management plans, are linked directly to the Water Quality permits of wastewater treatment facilities.

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Wastewater Reuse–Judy Johndohl

DEQ staff work with municipal and industrial wastewater facilities to permit the recycling of treated wastewater effluent and provide technical assistance to those facilities engaged in the practice of reuse. Wastewater reuse is a tool in the “tool box” for municipalities and potentially industrial wastewater dischargers as another option for managing their treated wastewater. Having additional “tools” provides these stakeholders with options that may be more economical and/or environmentally sound, and can be an additional source of water for non-drinking water practices. Most wastewater reuse occurs through land application to crops and golf courses, and there is increasing interest to reuse treated effluent for industrial and commercial applications. DEQ works with the Department of Human Services – Health Services Division and Water Resources Department on the permitting of this practice.

401 Water Quality Certification–Sally Puent

Section 401 of the federal Clean Water Act requires that any federal license or permit to conduct an activity that may result in a discharge to waters of the State receive certification from DEQ that the activity complies with water quality requirements and standards before the activity is allowed. In order to provide a certification, DEQ reviews proposed project applications to dredge, fill, or otherwise alter a waterway or wetland to ensure that the projects will meet water quality program requirements. The federal relicensing of hydroelectric projects also requires a 401 water quality certification (WQC) from DEQ as a condition of the operating license of the facility.

For dredge and fill projects, DEQ issues approximately 150 individual WQCs per biennia that contain conditions which provide protective measures for water quality and beneficial uses. DEQ provides support for EPA reviews of 401 water quality certification program activities related to proposed dredge and fill projects. Additionally, DEQ provides a great deal of technical assistance throughout the permit process. DEQ also issues programmatic type WQCs which cover groups of activities with protective conditions in an effort to provide a streamlined approach to the regulatory process.

During the course of this PPA, EPA may allocate funds that could be used to enhance the State's 401 program. DEQ will work with EPA to identify any potential for requesting specific funding from EPA to enhance 401 reviews, oversight and field reviews consistent with existing program objectives. EPA will notify DEQ of any potential funding opportunities and respond to any DEQ request for additional funding.

Environmental Outcome: These activities help to ensure that adequate controls are in place so that point source discharges, dredge and fill activities and the recertification of hydroelectric projects do not result in water quality standards violations and will contribute to water quality improvements as measured by ambient water quality monitoring and the OWQI.

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
5.1	Continue to issue and reissue NPDES and WPCF permits. There are approximately 1100 individual permittees in Oregon, including 78 NPDES majors and 286 NPDES minors. [Correction (8/17/09): The correct number of NPDES majors is 74 rather than 78.] DEQ will participate in the PQR including providing access to permit files, being	On an annual basis, EPA will select permits that it will review. EPA review will occur prior to public notice of those permits. EPA (HQ and Region 10) will conduct a Permit Quality Review (PQR).	Develop and implement a plan that identifies specific NPDES permits intended to be reissued during each year of this agreement, including “priority permits”. DEQ will work to achieve the goal of 90% of individual and general permits are current during each calendar year		Yes	WQ-19a	DEQ's goal is to issue 95% of “priority permits” each year. DEQ met its goals with respect to issuing priority permits. DEQ did develop a permit reissuance plan. DEQ did not meet the goal of having 90% of all individual and general permits current during each year. In 2010 DEQ resolved two major barriers to issuing permits: 1) DEQ worked to resolve EPA's objections on the bacteria standard language and Schedule F of the permit and 2) DEQ is participating

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#	<u>DEQ Commitment</u>	<u>EPA Commitment</u>	<u>Outputs</u>	<u>Target Date</u>	<u>Supported by PPG?</u>	<u>EPA PAM</u>	<u>Comments</u>
	available for interviews and responding to inquiries.						<p>in the settlement of the lawsuit against EPA on compliance schedules.</p> <p>EPA will work with DEQ on permit selection for EPA review with an emphasis on those permits implementing water-quality based limitations and/or meeting temperature standards.</p> <p>Goal for achieving the 10% backlog for individual NPDES permits is not achievable during this PPA term due to delays and resource impacts from litigation and lack of resources.</p>
5.2	Develop and implement a watershed based permit issuance plan.		By the end of 2010, 95 percent of permits will be issued on a watershed cycle.		Yes	WQ-12	DEQ continues to move in this direction but did not meet the 95% goal. Current permit issuance plan indicates that the agency will be at 79% at the end of 2015.
5.3	Develop state-wide permit policies, guidance and tools to make the permits program more consistent, effective and efficient. This includes identifying staff experts for various industrial and municipal permit categories to review draft permits in order to improve consistency.	Technical Assistance (TA); EPA timely review and comment on draft policies and guidance; and other program support as needed. EPA will participate in the development of the IMD for control of SSOs.	<p>Develop Internal Management Directives for:</p> <ul style="list-style-type: none"> - Develop fee rulemakings - Recycled Water Use IMD - Industrial Solids IMD - Use of compliance schedules and MAOs in the permit program. <p>Conduct permit writer's workshop.</p>	06/30/10	Yes		<p>Fee rulemaking proceeded through close of comment period. 2009 fee rulemaking will not proceed for FY 2010, anticipated cost increases (i.e. salary freezes) do not justify the fee increase. DEQ proceeding with a fee increase to be adopted April 2010 for FY 2011.</p> <p>DEQ is working on designing a peer review process for permits and identifying Subject Matter Experts.</p> <p>DEQ completed the compliance schedule IMD.</p> <p>DEQ completed the SSO IMD and revisions to the enforcement guidance.</p> <p>DEQ continues to conduct permit writer workshops. DEQ provided training on compliance schedules in each region during May-June 2010.</p> <p>Industrial Solids IMD has been deferred due to gray water.</p>

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#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
							Recycled water use IMD – complete
5.4	Permits shall include water-quality based effluent limits (WQBELs) as needed.	Provide permit review and oversight as appropriate.	WQBELs are included in permits where reasonable potential is found. Fact Sheets document reasonable potential and WQBELs.	Ongoing	Yes		
5.5	Implement State stormwater program.		<ul style="list-style-type: none"> - Conduct compliance activities on Phase I and Phase II MS4 permittees. - Renew Phase I permits. - Implement 1200COLS; 1200C1200A and 1200Z permits. - Work with local govt. agencies to assist DEQ in program implementation. - Inspect 10% of industrial stormwater facilities per year. - Inspect 10% of construction sites larger than 5 acres per year - Inspect 5% of construction sites less than 5 acres per year. 	<p>06/30/10</p> <p>Calendar 2009</p>	Yes	<p>WQ-13a WQ-13b WQ-13c WQ-12d</p>	<p>DEQ's compliance activities for Phase I and Phase II MS4 permits means reviewing the annual reports. DEQ reviewed all the 2008-2009 annual reports for Phase 1 and 2 MS4 permits except the annual report for Bend's Phase 2 permit.</p> <p>See commitment 5.3 for DEQ Stormwater inspections during July 1, 2009 through June 30, 2010.</p> <p>DEQ is adopting fees and phasing in new staff to meet this output. See element 6.3</p>
5.6	Coordinate State permit actions with interested tribal agencies as appropriate.	Liaison role as needed.	Improved relations with affected tribes.	06/30/10	Yes		
5.7	DEQ will conduct wastewater reuse activities.	EPA will review draft water reuse rules (OAR 340-055) as requested by DEQ.	DEQ will implement revisions to state recycled water use regulations (OAR 340-055 – Reclaimed Water).	Ongoing	Yes		<p>EPA R10 will involve the interested offices of EPA HQ in the review of the draft rules.</p> <p>Rules were sent out on public notice in August 2007, and no comments were received from EPA. Rules were adopted by the EQC in April 2008. Implementation activities are on-going, including recycled water use plan review and compliance inspections.</p>
5.8	DEQ will conduct biosolids/sewage sludge activities.	EPA will provide TA; timely program support as needed.	<ul style="list-style-type: none"> - Review approximately 25 biosolids management plans each year. - Issue approximately 75 land application site authorization letters each 	<p>6/30/10</p> <p>6/30/10</p>	Yes		<p>The exact number of plan and site review depends on number of requests from municipal facilities. Approximately 50 biosolids land application sites were evaluated and authorized for use from 2008 to</p>

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#	<u>DEQ Commitment</u>	<u>EPA Commitment</u>	<u>Outputs</u>	<u>Target Date</u>	<u>Supported by PPG?</u>	<u>EPA PAM</u>	<u>Comments</u>
			year. - Provide TA and program oversight from each DEQ regional office and HQ.				June 30, 2010.
5.9	Review proposals related to the EPA memorandum of agreement (MOA) re the NPDES and Pretreatment programs. DEQ will review and comment and provide other assistance as available.	EPA will take the lead in revising the MOA.	Revised final MOA.		Yes		EPA and DEQ completed a new MOA in 2010
5.10	Implement the Pretreatment Program.					WQ-14a WQ-14b	DEQ hired a new pretreatment coordinator who started part time in November 2009 and full time in January 2010.
5.11	Ensure appropriate controls are placed on combined sewer overflows (CSOs).		Reissue the Portland Permit. Transmit a status report on CSO corrective actions under the mutual agreement orders.		Yes	SS-1	DEQ continues to work with EPA and the City of Portland to resolve the permit issues.
5.12	DEQ will participate in Government Performance and Results Act (GPRA) reporting.	EPA will provide a list of items to be reported under the NPDES permit program by July 1 of each year along with the due dates for each item.	DEQ will provide information required under the GPRA (resources permitting).	6/30/10	Yes	PAMs are under GPRA	The information will be fed into the national program reporting system. More information on GPRA reporting can be found at www.epa.gov/ocfo/planning/gpra.htm

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Element 6: Compliance Assurance and Enforcement

DEQ contact: Annette Liebe

EPA contact: Kim Ogle

Environmental Outcome: Compliance assistance and enforcement activities are critical components of an effective wastewater permitting program, which will contribute to water quality improvements as measured by ambient water quality monitoring and the OWQI.

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
6.1	DEQ will conduct compliance assistance and compliance assurance activities as appropriate (see additional detail below).	TA and support as needed.	<ul style="list-style-type: none"> - TA provided to permittees. - DMRs from individual permittees reviewed. 	06/30/10	Yes		
6.2	DEQ will respond to significant public complaints.	TA and support as needed.	<ul style="list-style-type: none"> - Prompt response to complaints that involve potential significant threats to public health and the environment. - Investigate spills. - Enforcement actions as warranted. 	Ongoing	Yes		Ongoing
6.3	DEQ will inspect (NPDES) facilities consistent with EPA's Compliance Monitoring Strategy.	As resources allow, Region may schedule joint and/or oversight inspections with DEQ.	<p>-DEQ will inspect all major sources every two years; DEQ will inspect minor sources once every 5 years.</p> <p>Submit inspection plan to EPA Region 10.</p> <p>Stormwater:</p> <ul style="list-style-type: none"> - Inspect 10% of industrial stormwater facilities per year. - Inspect 10% of construction sites larger than 5 acres per year - Inspect 5% of construction sites less than 5 acres per year. <p>Pretreatment:</p> <ul style="list-style-type: none"> - DEQ will audit approved active pretreatment programs once every five years - During each audit an oversight inspection will be conducted of up to two 	6/30/09 and 6/30/10 (inspection plan submittal)	Yes		<p>DEQ reserves the right to substitute minor facility inspections in place of major facility inspections at the appropriate ratio (2:1) to make the watershed plan work (i.e., balance the workload based on inspection resources).</p> <p>DEQ has 68 major and 283 minor NPDES permit holders (excluding MS4s). From July 1, 2009 to June 30, 2010, DEQ conducted 33 major source inspections and 66 minor source inspections. DEQ met its inspection targets for individual NPDES permits.</p> <p>The following numbers for stormwater do not include inspections or permits administered by DEQ's agents.</p> <ul style="list-style-type: none"> • DEQ has 524 industrial sites – 71 or 13.5 % were inspected. • DEQ has 290 construction sites less than 5 acres – 59 or 20.3% were inspected. • DEQ has 607 construction sites

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<u>#</u>	<u>DEQ Commitment</u>	<u>EPA Commitment</u>	<u>Outputs</u>	<u>Target Date</u>	<u>Supported by PPG?</u>	<u>EPA PAM</u>	<u>Comments</u>
			Industrial Users to the POTW.				<p>of 5 acres or greater – 63 or 10.3% were inspected.</p> <p>DEQ met its inspection obligations for industrial and construction stormwater permits.</p> <p>DEQ hired a new pretreatment coordinator in November 2009. DEQ is not meeting the commitment to audit pretreatment programs once every five years. As of June 30, 2010 there were 5 programs whose audits were past due. DEQ plans to get back on track by the end of calendar year 2011.</p>
			- DEQ will conduct Pretreatment Compliance Inspections based on annual report results.				
6.4	DEQ will pursue timely and appropriate enforcement actions as warranted.	TA and program support as needed.	Formal enforcement actions taken pursuant to state law and rule.	Ongoing	Yes		Ongoing
6.5	DEQ will participate in EPA collaborative planning and enforcement initiatives as resources allow.	TA and program support. If needed, EPA will draft Compliance Assurance Principles Agreement Revisions.	<ul style="list-style-type: none"> - NPDES MOA and Compliance Assurance Principles Agreement revisions as needed. EPA will coordinate internally amongst permitting and compliance groups. - Joint planning and enforcement case coordination. 	6/30/10	Yes		
6.6	DEQ will report on its enforcement activities.		DEQ will submit summary level data on enforcement annually, or as requested by EPA.	Ongoing	Yes		Ongoing

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Element 7: WQ Data Analysis, Management and Monitoring

DEQ contact: Dave Kingsella (data) and Aaron Borisenko (monitoring)

EPA contact: Jeannine Brown (data) and Gretchen Hayslip (monitoring)

Water Quality Monitoring

Water quality monitoring and assessment provides the foundation for effective water quality management as well as the basis for tracking violations. Water quality monitoring programs provide information on the status and trends of water quality in Oregon and the causes of impairment. Monitoring is conducted to determine if water quality supports beneficial uses and if standards are met. Streams that do not meet water quality standards are placed on the 303d list and will have TMDLs developed for them. In order to develop TMDLs studies must be conducted to determine the sources and loads of pollutants affecting the water body and how those vary over time and space. DEQ is engaged in several other types of monitoring studies, including the following:

- Studies to determine the relationship between water quality, habitat conditions and biological condition.
- Compliance monitoring studies to determine compliance with permit conditions.
- Studies to determine threats to human and ecological health from toxic compounds.

The Laboratory Environmental Assessment Division (LEAD) also collects water samples and analyzes the results to support other DEQ programs respond to inquiries from the public. In addition, the Laboratory certifies environmental laboratories in cooperation with the Oregon Department of Agriculture and Oregon Health Services under the National Laboratory Accreditation Program (NELAP). The Laboratory works with other agencies to monitor Oregon's progress under the Oregon Plan for Salmon and Watersheds and provides equipment and technical support to watershed councils for water quality monitoring.

Water quality monitoring is necessary to understand how well Oregon is protecting the uses of its water. DEQ monitors water quality by collecting water quality samples, and then performing chemical analysis and statistical analysis of the resulting data. The Water Quality Program is responsible for monitoring and assessing Oregon's 52,000 miles of rivers, 400,000 acres of lakes, 56,000 acres of tidal wetlands, 360 miles of coastal ocean and 206 square miles of estuaries, harbors and bays. DEQ augments its water quality data by using monitoring data from a wide variety of sources, including watershed councils and federal agencies. However, all data must first be reviewed to ensure proper quality control protocols were used.

Environmental Outcome: Effective management and analysis of water quality data provides a means for tracking and assessing the effectiveness of water quality protection and improvement efforts, supporting an adaptive management approach that will result in water quality improvements as measured through ambient water quality monitoring and the OWQI.

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
7.1	DEQ will convert Core Data from PCS to ICIS, develop the interface between Oregon's state data system and ICIS and implement sustainable processes to maintain accurate data in ICIS.	EPA will assist with determining ICIS coding solutions to problem reporting areas. EPA R10 will support and assist with acquiring funding from EPA HQ.	--Convert PCS WENDB data elements to ICIS RIDE data elements. --Electronic interface between Oregon data system and ICIS	As scheduled by EPA	Yes		Without funding from EPA-DEQ will not be able to do this work. Oregon DEQ received approval for \$200,000 in STAG funding to begin this work. The project will include a feasibility study on using ICIS for ODEQ program management as well as develop procedures and tools for data collection.
7.2	DEQ will work toward the development and implementation of an Electronic Discharge Monitoring Report application.	EPA R10 will support and assist with acquiring funding from EPA HQ.	--The capability for sources to submit DMRs electronically to Oregon DEQ. --The capability to process DMRs from non-major	Ongoing			Initial funding for development has been provided; additional funding will be needed for implementation. DEQ plans to use supplemental 106 permitting and enforcement enhancement funding for this

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#	<u>DEQ Commitment</u>	<u>EPA Commitment</u>	<u>Outputs</u>	<u>Target Date</u>	<u>Supported by PPG?</u>	<u>EPA PAM</u>	<u>Comments</u>
			sources and input the data into ICIS				project. This work will be undertaken immediately and is expected to be completed in late 2011.
7.3	Environmental Indicators – DEQ uses the Oregon Water Quality Index (OWQI) as the key indicator for WQ monitoring, using data collected from the 140 sites of the ambient monitoring network. Prepare periodic reports on water quality trends and indicators, including supporting the 303(d) assessment process.	TA; consultation	<ul style="list-style-type: none"> - Continue entering data into the data base. - Update of Index annually. 	05/08 05/09 05/10	Yes		Current trending analysis at the 140 stations has recently been completed and will be posted on DEQ's website. Monitoring at stations in the ambient network is ongoing.
7.4	Collect water quality data to support TMDL development		TMDL developed on schedule and supported by adequate data.	Ongoing	Yes		TMDL monitoring for sediment, dissolved oxygen, bacteria, water temperature and other conventional water quality parameters is in progress. DEQ is currently working in the Tillamook, Powder, Burnt River, Yamhill, and Winchuck drainages.
7.5	Conduct 37 site visits and 4 repeat visits as part of the EMAP National Streams and Rivers surveys in Oregon. Enhance the National Streams and Rivers assessment in Oregon by adding 14 additional site visits in 2008 and 2009 using Monitoring Strategy funds.	Provide supplemental water quality monitoring funds	<ul style="list-style-type: none"> -Provide data for upload into EPA SWIM data management system -Use information in the narrative section of the 305b report 	6/30/2010	Yes		<p>Data collection would occur during the summer of 2008-09.</p> <p>Data collection for the National Rivers and Streams Assessment was successfully completed at all 50 sites statewide. Five additional quality assurance visits were also completed.</p>
7.6	Conduct nonpoint source and TMDL effectiveness activities using Monitoring Strategy funds. Collect water quality, habitat and biological data at five sites (seven samples including quality assurance visits) to determine the effectiveness of restoration activities on a grass seed farm	Provide supplemental water quality monitoring funds.	Data on the effectiveness of TMDL implementation and nonpoint source projects.	6/30/2010	Yes		<p>Data collection would occur during the summer of 2008-09.</p> <p>Stream surveys were conducted in 2007 and 2008 using EPA's Environmental Monitoring and Assessment Program methods for wadeable streams for macroinvertebrates, water quality, physical habitat, and continuous temperature. Water quality, temperature and biological samples have been analyzed and raw data</p>

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#	<u>DEQ Commitment</u>	<u>EPA Commitment</u>	<u>Outputs</u>	<u>Target Date</u>	<u>Supported by PPG?</u>	<u>EPA PAM</u>	<u>Comments</u>
							entered into data bases although summary metrics have not been calculated. Habitat data has been partially entered into database tables although summary metrics have not been calculated. Future monitoring is still being planned.

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Element 8: Management of Nonpoint Sources of Pollution

DEQ contact: Gene Foster
EPA contact: David Croxton

Section 319 of the federal Clean Water Act requires states to have nonpoint source (NPS) management programs based on assessments of the amounts and origins of NPS pollution in the state. Nonpoint source pollution comes from numerous diffuse sources such as runoff from roads, farms and construction sites. This type of pollution is understood to be the largest source of water quality impairment in Oregon, as well as the rest of the United States. Federal grants cover the majority of cost for Oregon's NPS program, which protects and restores both surface water and groundwater. During the 2008-2010 biennium, DEQ will provide close to \$4 million to local organizations for nonpoint source projects such as public education and watershed restoration. DEQ's NPS program also includes staff, which performs the following activities:

- Characterization of NPS problems/concerns.
- Monitoring to support and determine effectiveness of BMP programs.
- Best management practices development/implementation.
- Coordination between stakeholders.
- Liaison support staff to other state and federal agencies.
- Restoration activities.
- Development and modeling for NPS TMDLs.
- Development of UAA/SSC as related to NPS activities; and
- Public education.

Environmental Outcome: Active management and control of nonpoint sources of pollution will reduce the amount of nonpoint source pollution getting into Oregon's waterways, resulting in water quality improvements as measured by ambient water quality monitoring, the OWQI and TMDL implementation monitoring plans.

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM	Comments
8.1	Distribute 319 grants to fund project proposals to Oregon's priority basins based on TMDL development and implementation, drinking water source areas and GWMAs. Work with EPA to review basins plans containing EPA's 9 point guidance.	Assist with criteria updates as needed. Target Oregon's priority watersheds for funding. Provide technical support and review of basin plans based on TMDL development and implementation and the 9 guidance points.	Solicit and select projects.	05/09 and 05/10	Yes		Funding criteria used to prioritize proposals. DEQ continues to develop watershed approach, TMDL implementation, and integration of EPA's NPS Guidance 9 points criteria into watershed implementation plans. Completed for 2009 and 2010
8.2	Prepare an annual report of NPS program accomplishments.	Review and take final action on annual report.	NPS Annual Report	03/09 and 03/10	Yes		Place on website. Completed for 2009 and 2010
8.3	Determine with EPA available NPS Success Stories documenting either water quality progress or partial/full restoration under PAM	Provide assistance in development of NPS Success Stories.	NPS Success Stories	9/08 and 9/09	Yes	WQ-9a WQ-9b WQ-9c WQ-10	All stories on EPA website, stories documenting partial or full attainment count towards WQ-10. Completed for 2008 and 2009
8.4	Enter GRTS 319 project tracking data by national	Provide technical assistance for GRTS-related function.	Data reflecting progress and status of 319 implementation	2/09, 2/10 load	Yes	WQ-9a	Ongoing

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	deadlines, including load reductions as available			reduction, 4/09, 4/10		WQ-9b WQ-9c	
				other GRTS data (National GRTS reporting deadlines)			Ongoing

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Element 9: Source Water Protection

DEQ contacts: Gene Foster

EPA contacts: Eric Winiecki

Source Water Protection Program

The Safe Drinking Water Act Amendments (SDWA) of 1996 provided resources to states to focus more attention on the source areas for public water systems instead of solely relying upon treatment to achieve clean drinking water. Approximately 75% of Oregon's citizens get their drinking water from public water systems. To address the assessment requirements of the SDWA, the Department of Human Services – Health Services (DHS) teamed up with the Department of Environmental Quality (DEQ). The two agencies have established a Memorandum of Understanding to coordinate their work.

The two agencies worked closely in 1998 and 1999 with a citizen's advisory committee consisting of nine public water system managers and eleven interest groups and agency representatives to develop the Oregon program. DEQ and DHS then shared the responsibilities to implement the program that included computer database development, Geographic Information System (GIS) development, technical assistance, contamination source inventories, surface water delineations, groundwater delineations, and susceptibility analyses. Oregon completed the source water assessments in June 2005 for 142 surface water systems, 948 ground water systems (community and non-transient non-community), as well as 1040 transient non-community systems.

In recognition of the role of usable drinking water as a prerequisite for human health and future economic growth, DHS and DEQ have now shifted resources into providing technical assistance to public water systems and communities to encourage drinking water protection. This is being done through the use of site-specific information derived from the assessments, the development of outreach programs and tools, the integration of drinking water priorities with other agency programs, and working with local planning authorities to integrate drinking water protection areas into land use planning decisions."

EPA has set out a two-part "Strategic Target" for the source water protection program, which the EPA regional offices are expected to meet:

- Strategic Target SP-4a: "By 2011 50% of the community water systems will achieve minimized risk to public health (minimized risk is achieved by substantial implementation, as determined by the State, of source water protection actions in a source water protection strategy)."
- Strategic Target SP-4b: "By 2011, 62% of the population served by community water systems will receive drinking water that minimizes risk to public health (minimized risk is achieved by substantial implementation, as determined by the State, of source water protection actions in a source water protection strategy)."

DEQ recognizes that EPA Region 10 is expected to meet this target, and will endeavor to assist the Region in meeting it.

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Element 10: Clean Water State Revolving Fund Program

DEQ contacts: Judy Johndohl

EPA contacts: Paula vanHaagen

Clean Water State Revolving Fund (CWSRF) Program

In 1987 Congress established the CWSRF program to replace the Construction Grants program that had provided direct grants to communities to complete sewer infrastructure projects. The CWSRF loan program is overseen by the Environmental Protection Agency and is implemented in each state and Puerto Rico. The program makes low-interest loans available to address water pollution. Congress continues to appropriate funds to the Environmental Protection Agency (EPA) for the purpose of capitalizing the CWSRF program each year. Each state must contribute a minimum matching amount of 20% of its federal grant to the program annually.

The CWSRF program in Oregon is administered by the Oregon Department of Environmental Quality (DEQ) and provides low-cost loans for the planning, design and construction of a variety of projects that address various types of water pollution, including nonpoint source pollution. Oregon laws allow the use of these funds to public agencies only including cities, counties, sanitary districts, soil and water conservation districts, irrigation districts and various special districts. A majority of the loans are provided to cities that address wastewater treatment needs and thus help to protect the state's water quality standards. These standards are necessary to protect beneficial uses such as recreation, fish habitat, boating, irrigation and drinking water.

Each year Oregon's program makes approximately \$40 million available statewide for water quality improvements. Oregon's capitalization grant in 2008 will provide \$8 million of the \$40 million available funds. To date, DEQ has provided 240 loans to communities totaling more than \$680 million. While continuing to serve traditional municipality wastewater needs, the CWSRF program also provides loans and incentives to address nonpoint source water pollution. Each type of loan has different financial terms, and is intended to provide communities with choices when financing water quality improvements.

Although an EPA program, federal regulations allow states broad flexibility in establishing and implementing their revolving funds. To ensure consistency, EPA works closely with each state in providing technical assistance and oversight. DEQ and EPA Region 10 maintain a mutual agreement to operate the program in Oregon which stipulates the procedures and expectations of the program. EPA's regional CWSRF coordinator and DEQ's CWSRF coordinators work closely together in support of Oregon's program. EPA evaluates Oregon's financial and program procedures each year through a site visit and annual report. DEQ provides EPA with the intended plan for the state's use of its fund annually, and then follows at the end of the year with an Annual Report to EPA indicating the program's accomplishments during the year.

What is a Program Activity Measure (PAM)?

From the "National Water Program Guidance Appendix: FY 2006 Final Measures and Commitments"

"PAMs address activities to be implemented by EPA Headquarters, EPA Regional Offices, or by States/Tribes that administer national programs. They are the basis for monitoring progress in implementing programs to accomplish the environmental improvements described in the new Strategic plan."

In April of 2005, the National Water Program published Guidance describing strategies for meeting the water related goals established in the Environmental Protection Agency Strategic Plan and defining the measures to be used to assess progress in meeting the goals in the Plan in FY 2008. Some of the measures included "targets," or increments of progress that might be accomplished under the measures in FY 2008.

The Guidance includes an Appendix that identifies the specific measures that support each water subobjective Plan. The Appendix includes all measures related to water programs, including the environmental/public health measures state in the EPA Strategic Plan (i.e. subobjectives and strategic targets) and the measures of activity in a range of program areas that support each subobjective (i.e. Program Activity Measures or PAMs).

What PAMs apply to the PPA?

The matrix has a column identifying the EPA PAMs. These have been suggested by the EPA program managers as appropriate.

Where can I go for additional information regarding PAMs?

<http://www.epa.gov/water/waterplan/documents/05guidance.html>